

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHRISTIAN L. GILBERT,

Plaintiff,

vs.

CHRISTOPHER M. JOHNSON, and
CORDELL & CORDELL, P.C., a
Missouri corporation;

Defendants.

4:22CV3248

ORDER TO SHOW CAUSE

The present action is one for legal malpractice and breach of fiduciary duty against Plaintiff's former attorney, Christopher Johnson, and Johnson's law firm, Cordell & Cordell. According to the complaint, Johnson represented Plaintiff in a paternity, custody, and child support action ("underlying action") filed in Lancaster County District Court. (Filing No. 1-2 at CM/ECF p. 4).

While not included as part of the present record, a review of the state court proceedings reveals the underlying action is currently pending appeal in front of the Nebraska Court of Appeals. See Kee v. Gilbert, A 22-317 (submitted without oral argument on March 7, 2023).

As the underlying appeal has the potential to affect the allegations and amount in controversy in this lawsuit, the parties have until March 23, 2023 to show

cause as to why the court should not stay these proceedings pending the outcome of the ongoing appeal in the underlying action.

Accordingly,

IT IS ORDERED that the parties are given until March 23, 2023 to show cause why the court should not stay the present action pending the conclusion of the state proceedings, including the appeal. The failure to timely comply with this order may result in a stay of the proceedings without further notice.

Dated this 9th day of March, 2023.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge